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COUNSEL FOR DEBTOR  
AND DEBTOR IN POSSESSION  
MODE ELEVEN BANCORP

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF WYOMING**

In re:	)
	) Chapter 11
MODE ELEVEN BANCORP,	)
	) Case No. 25-20240
	)
Debtor in Possession	)

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**NOTICE OF DESIGNATION OF BACKUP BIDDER AND AMENDED  
DEADLINE TO OBJECT TO SALE MOTION**

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**PLEASE TAKE NOTICE THAT**, on January 5, 2026, the above captioned debtor and debtor in possession (the “Debtor”) filed the *Motion of Debtor and Debtor in Possession Mode Eleven Bancorp for an Order: (A) Approving the Share Purchase Agreement and Authorizing the Sale of Substantially All of the Debtor’s Assets; (B) Authorizing the Sale of Assets Free and Clear of All Liens, Claims, Rights, Encumbrances and Other Interests; and (C) Granting Related Relief* [Dkt. 245] (the “Sale Motion”) with the United States Bankruptcy Court for the District of Wyoming (the “Court”).<sup>1</sup>

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<sup>1</sup> All capitalized terms not defined herein shall have the meanings ascribed to them in the Sale Motion.

**PLEASE TAKE FURTHER NOTICE THAT** the *Notice Pursuant to Local Bankruptcy Rule 2002-1 of Motion of Debtor and Debtor in Possession Mode Eleven Bancorp for an Order: (A) Approving the Share Purchase Agreement and Authorizing the Sale of Substantially All of the Debtor's Assets; (B) Authorizing the Sale of Assets Free and Clear of All Liens, Claims, Rights, Encumbrances and Other Interests; and (C) Granting Related Relief and Opportunity to Object* [Dkt. 248] (the "Notice of Opportunity to Object"), also filed on January 5, 2026, set the deadline to object to the Sale Motion as January 29, 2026.

**PLEASE TAKE FURTHER NOTICE THAT** the proposed form of Sale Order submitted with the Sale Motion [Dkt. 245-2] expressly reserves the Debtor's ability to pursue a sale with a backup purchaser if the Buyer identified in the Sale Order fails to consummate the Sale.

**PLEASE TAKE FURTHER NOTICE THAT**, subsequent to the filing of the Sale Motion, the Debtor received an offer from Marek E. Forysiak ("Forysiak"), as purchaser, to purchase the Assets for a purchase price of \$3,000,000 and the assumption of certain liabilities, on the terms set forth in the form of purchase agreement between the Debtor and Forysiak attached hereto as Exhibit A. Attached hereto as Exhibit B is a redline reflecting Forysiak's revisions to the form of purchase agreement filed with the Sale Motion at Docket 245-1.

**PLEASE TAKE FURTHER NOTICE THAT** the Debtor designates Forysiak as a "Backup Bidder" under paragraph U of the proposed form of Sale Order.

**PLEASE TAKE FURTHER NOTICE THAT** the deadline to object to the Sale Motion is hereby extended to **February 2, 2026**, with all other requirements for lodging objections to the Sale Motion as set forth in the Notice of Opportunity to Object.

Dated: January 28, 2026

Respectfully submitted,

COVINGTON & BURLING LLP

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